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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,157	03/31/2004	Michael Masterov	07754.046001	8197
22511	7590	09/14/2009	EXAMINER	
OSHA LIANG L.L.P.			GREENE, DANIEL LAWSON	
TWO HOUSTON CENTER				
909 FANNIN, SUITE 3500			ART UNIT	PAPER NUMBER
HOUSTON, TX 77010			3694	
			NOTIFICATION DATE	DELIVERY MODE
			09/14/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com  
buta@oshaliang.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* MICHAEL MASTEROV and ALEXANDER JOSEPH ESIN

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Application 10/815,157  
Technology Center 3600

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Mailed: September 14, 2009

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Before *JOYCE GUNTER-RILEY, Review Paralegal.*

*GUNTER-RILEY, Review Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on August 31, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**INFORMATION DISCLOSURE STATEMENT**

Appellant filed an Information Disclosure Statement (IDS) dated June 22, 2009. There is no indication on the record that the Examiner has considered the above Information Disclosure Statement. MPEP § 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above Information Disclosure Statement is required.

**CONCLUSION**

Accordingly, it is hereby  
ORDERED that the application is returned to the Examiner for further consideration.

- 1) consider the IDS filed June 22, 2009 as required; and
- 2) for such further consideration

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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